Filed Electronically via ECFS

Ms. Marlene Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: FCC Docket 00-48; Amendment of Parts 13 and 80 of the Commission's Rules Concerning Maritime Communications; Third Report and Order;
PETITION FOR RECONSIDERATION

Dear Ms. Dortch:

Pursuant to Section 1.429 of the rules and regulations of the Federal Communications Commission ("FCC"), MariTEL, Inc., hereby asks the FCC to reconsider an element of its Third Report and Order ("Order") in the above referenced proceeding. In particular, MariTEL urges that the FCC reconsider its decision to permit the continued certification, manufacture, importation, sale or installation of digital selective calling ("DSC") equipment that does not conform to the FCC's newly adopted standards. The continued proliferation of devices that only meet one of the former standards constitutes a threat to public safety.

In the Order, the FCC decided to adopt new equipment standards for DSC radios. In the past, DSC equipment could be certified if it met the so-called SC101 standard promulgated by the Radio Technical Commission for Maritime Services ("RTCM"). However, the FCC decided to continue to permit certification of non-handheld radios that do not comply with the new standards (and that may comply with the now discredited SC101 standard) for one year after the new rules become effective and permit certification of handheld radios that do not comply with the new standards four years of the effective dates of the new rules. The FCC will also permit the manufacture, importation, sale or installation of SC101 non-handheld radios three years after the effective date of the new rules and of handheld radios seven years after the effective date.

As the FCC is aware, VHF channel 70 is used by DSC radios for both call set-up and emergency communications. While the Order recognized that the current standard is problematic, it did not take into account the day-to-day effects of the problems associated with the SC101 standard. In particular, MariTEL has found that some DSC equipment using the SC101 standard cannot receive on one channel the DSC signals transmitted by another device on the same channel. Therefore, a mariner using a DSC radio that attempts to transmit a distress call on channel 70 may not be heard by other mariners receiving on channel 70.

MariTEL has already brought this matter to the attention of the RTCM. Attached is a copy of a memorandum, from MariTEL's Chief Technical Officer, Gary Smith, with a technical exhibit that more fully addresses the issue. Because this problem is more severe than the FCC

apparently recognizes, it should take immediate action to stop the use of radios that only meet the SC101 standard (and it should not, as the Order permits allow the continued approval and manufacture of those radios) well into the future. MariTEL recognizes that no deadline has been established for the submission of petitions for reconsideration of the Order. Nevertheless, MariTEL submits this request in advance of that deadline being established so that the FCC could address this issue as quickly as possible.

If there are any questions, please feel free to contact me.

Cordially yours,

Dan Smith
President and CEO

Attachments

cc (each with attachments): Catherine W. Seidel
Cathleen Massey
Roger Noel
Kathy Harris
Scot Stone
Jeffrey Tobias
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November 7, 2006

To: Bob Markle - RTCM Board

RE: 178-2006-DRAFT-COMMENTS – FCC on Pt80

This letter is to apprise you of recent findings which may impact the FCC's decision in the 3rd Report and Order released September 8, 2006 (PR Docket 92-257) concerning DSC radios. In this ruling, the FCC extended certification and sales of SC-101 certified DSC equipment in the U.S. (paragraphs 26-29) for various time periods.

MariTEL is party to recent testing indicating a significant omission in the U.S. certification process. Specifically, these test show that many US type accepted radios transmit significantly outside the DSC specification resulting in DSC transmissions which are not reliably received by other DSC devices. While the results do not represent an exhaustive review of the embedded base of maritime radios, they conclusively point to a potentially significant impact to public safety.

I personally encourage RTCM to assist in both quantifying the scope and formulating a solution for these issues. MariTEL is eager to assist as needed in this effort.

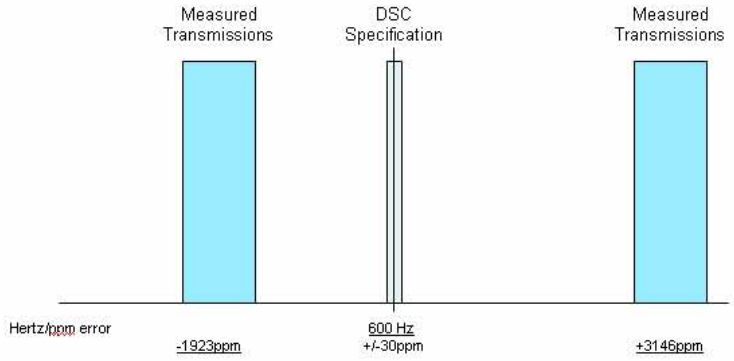
Sincerely,

Gary L. Smith
MariTEL CTO

Field Findings: Functionality and Performance of DSC Marine VHF Radios

In support of the launch and subsequent field use of the Sea Smart system by recreational boaters, MariTEL and Sea Tow have evaluated the functionality and performance of a significant number of marine VHF digital selective calling (DSC) radios. The Sea Smart system provides member vessel location services using the non-distress "Position Request" feature available with most DSC radios. The evaluation of DSC radios was initiated because of recurring customer issues related to problems with radio performance or installations.

Initial testing revealed wide-ranging DSC functionality and performance across a variety of marine VHF radios. Testing also identified several radios whose DSC messages were not received by other DSC devices. This characteristic was found with multiple manufacturers' popular DSC models and affected all DSC transmitted messages – including distress. Further testing identified that these radios' DSC transmissions modulate outside the DSC specification and as such, other DSC receivers that strictly adhere to the DSC specification do not "recognize" these transmissions. General technical findings are illustrated below.



The above findings are possible because of an omission in the current US based approval process. Unlike the IEC DSC specification which specifically tests for DSC modulation performance, the US approval process appears to omit such a test. The consequence is the US certification process does not ensure DSC compatibility between DSC devices.

While these results do not represent the entire population of marine radios and specifically exclude older radios, test results support the following observations:

1. Many models of US-approved SC-101 DSC VHF radios are compatible with other tested DSC devices; however, the current US certification process does not ensure this compatibility.
2. A significant number of the current and recent models of US certified marine VHF radios available in the marketplace transmit DSC messages outside the DSC specification. There is significant potential that distress and other DSC messages will not being received by other DSC devices from these radios.
3. It is estimated that over 1 million deployed radios have this characteristic.

Recognizing the significant nature of these findings and their potential impact to public safety, MariTEL and SeaTow encourage the appropriate Federal Government agencies and associated standards bodies to move quickly to identify the scope and determine a Public Policy solution for radios whose DSC transmissions are outside the DSC standard.